

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID LEE FORBES #664612, II,

Petitioner,

Case No. 1:12cv985

v.

Hon. Robert J. Jonker

CINDI CURTIN,

Respondent.

ORDER
APPROVING AND ADOPTING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on February 3, 2014. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed February 3, 2014, is approved and adopted as the opinion of the court.

IT IS ORDERED that Respondent's motion for summary judgment (docket #10) is GRANTED and the habeas corpus petition is **DENIED** as barred by the one-year statute of limitations.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**. See *Slack v. McDaniel*, 529 U.S. 473 (2000).

Dated: February 26, 2014

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE